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**From:** Wayne Natri [wnatri@e4strategicsolutions.com]  
**Sent:** 7/23/2013 10:21:31 PM  
**To:** Hough, Palmer [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=51cd0b0d81ac416fa265944d6e6575ce-PHough]  
**Subject:** FW: Reasons to Trash EPA Assessment on Bristol Bay....according to McGroarty...  
**Attachments:** 2013 08 01 Kavanaugh Invitation.pdf; 2013 08 01 McGroarty Invitation.pdf

FYI. We got this (below) from committee staff. Attached are the invites for the Rs...

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This will be a big topic of interest to Broun

**Subject:** FW: Reasons to Trash EPA Assessment on Bristol Bay....according to McGroarty...

I think this is the specific item that has been loosely referred to by Raj and you seemed to know of it. Interesting reading. I went back and read her affidavit. Not good. Don't think it matters too much in the EPA assessment but I can see how this one thing will be blown up out of all proportion just as the mistaken footnotes and un-peer-reviewed work in IPCC were blown up.

**Sent:** Tuesday, July 23, 2013 4:43 PM

**Subject:** Reasons to Trash EPA Assessment on Bristol Bay....according to McGroarty...

<http://americanresources.org/a-response-to-the-epas-release-of-its-revised-bristol-bay-watershed-assessment/>

## A Response to the EPA's Release of its Revised Bristol Bay Watershed Assessment

By [Daniel McGroarty](#) | Posted: April 29, 2013 at 9:19 am

The EPA just released its [revised Bristol Bay Watershed Assessment](#), outlining the potential impacts of a hypothetical mine in the Pebble region of southwestern Alaska. Unfortunately, the EPA's study relies on research conducted by the U.S. firm Stratus Consulting and its Managing Scientist, Ann Maest, both of whom just a few short days ago publicly admitted to falsifying a research report.

When the energy company Chevron discovered that Stratus and others had falsified environmental research used to win a \$19 billion judgment against the company in an Ecuadorean court, Chevron sued Stratus and others in a federal court in New York, accusing the firm of racketeering and fraud. As that case proceeded, Stratus published a 28-page affidavit and 16 pages of individual declarations disavowing the research it had produced in Ecuador.

Stratus Executive Vice President Douglas Beltman [declared in the affidavit](#), "I disavow any and all findings and conclusions in all of my reports and testimony on the Ecuador project."

Ann Maest, Managing Scientist for Stratus, in her own declaration, [stated](#), "I now believe that the damages assessment in the Cabrera Report and Cabrera Response is tainted. Therefore, I disavow any and all findings and conclusions in all of my reports and testimony on the Ecuador Project."

As President of American Resources Policy Network, a non-partisan education and public policy research organization, this greatly concerns me. The revised Bristol Bay Watershed Assessment cites two documents authored by Maest in two chapters, resulting in four citation notes. These documents are cited a total of 11 times in the text of the assessment, and seven of those are in conjunction with Stratus Consulting. (Full citations are pasted below.)

The EPA's decision to publish a report that relies on Maest's research mere days after the firm and this individual have been discredited is troubling. Even before publicly admitting to falsifying research, Maest had been hired as a consultant by numerous anti-mining advocacy groups, calling her objectivity into question. One of them is CSP2, which [states on its website](#) that, "Since 2007 CSP2 has been providing technical support to a loose coalition of groups opposed to the proposed [Pebble] mine...CSP2 also utilized consultants...Ann Maest, Ph.D., and Cam Wobus, Ph.D., from Stratus Consulting to provide technical support on geochemistry and hydrology."

The EPA should withdraw Maest's research from the assessment and conduct a thorough review of any and all work Stratus Consulting has done for EPA. We've compiled all of the references to Stratus in the Revised Bristol Bay Watershed Assessment below.

### **Maest document citations and references in the text of the assessment:**

*Wobus, C., A. Maest, B. Prucha, and D. Albert. 2012. Potential Hydrologic and Water Quality Alteration from Large-Scale Mining of the Pebble Deposit in Bristol Bay, Alaska: Results from an Integrated Hydrologic Model of a Preliminary Mine Design (review draft). Boulder CO: Stratus Consulting.*

Kuipers, J. R., A. S. Maest, K. A. MacHardy, and G. Lawson. 2006. *Comparison of Predicted and Actual Water Quality at Hardrock Mines: The Reliability of Predictions in Environmental Impact Statements*.

#### Chapter 7 - Mine Footprint

Pg. 258 – Wobus et al cited “Open-water reaches corresponded with areas of high upwelling potential modeled by Wobus et al.” Pg. 259 – Figure modified from Wobus et al.

Pg. 275 – “The only exception is an area of interbasin groundwater transfer that has been observed between the South Fork Koktuli River and Upper Talarik Creek (PLP 2011: Chapter 7, Wobus et al. 2012).”

Pg. 288 – “An assessment of hydrologic and water quality issues at the Pebble deposit was independently performed by Wobus et al. (2012).”

“Where assumptions were similar between this assessment and Wobus et al. (2012) modeling efforts, streamflow modification projections were similar.”

“Other significant divergences between streamflow alteration estimates in this assessment and Wobus et al. (2012) also are most likely due to differences in the location of the WWTP outfalls (Table 7-20).”

Pg. 289 – Charts featuring estimates from Wobus et al.

#### Chapter 8 – Water Collection, Treatment, and Discharge

Pg. 341 “Water quality degradation at metal mines in the United States have been reviewed and summarized in recent reports (Kuipers et al. 2006, Earthworks 2012).”

Pg. 346 “This uncertainty is demonstrated by the record of inaccurate water quality predictions contained in environmental impact statements for major hard rock metal mines in the United States (Kuipers et al. 2006).”

Pg. 349 “An assessment of hydrologic and water quality issues at the Pebble deposit was independently performed by Wobus et al. (2012). Wobus et al. (2012) used the same set of available data (primarily the EBD [PLP 2011]) as this assessment and based their modeling on the same mining plan (Ghaffari et al. 2011). However, those authors made somewhat different assumptions in model implementation that gave different results.

Pg. 538 “Reviews of U.S. mine records found that 60 to 93% of mines reported a water collection or treatment failure (Kuipers et al. 2006, Earthworks 2012). Improved design and practices should result in lower failure rates, but it is unlikely that failure rates would be lower than 10% over the life of a mine.”